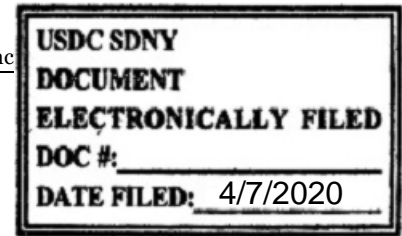




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April 3, 2020

VIA ECF

Hon. Barbara Moses
Daniel Patrick Moynihan Courthouse
500 Pearl Street, Room 740
New York, NY 10007

MEMO ENDORSED

Re: Julian, et al. v. Metropolitan Life Insurance Co., No. 1:17-cv-00957-AJN-BCM
Motion to Compel 30(b)(6) Designee on MetLife's ESI

Dear Magistrate Judge Moses:

We write regarding Plaintiffs' request for a pre-motion conference to compel a 30(b)(6) designee on Defendant Metropolitan Life Insurance Company's ("MetLife") electronically stored information ("ESI"). Plaintiffs filed this request via letter motion on February 20, 2020, Dkt No. 107, and Defendant filed a response in opposition on February 25, 2020, Dkt. No. 110. On February 28, 2020, the Parties jointly informed the Court that they had agreed to further meet and confer on the issues raised in their letters in order to attempt to resolve their dispute without further need for court intervention. Dkt. No. 113. On March 5, 2020, and again on March 13, 2020, the Parties informed the court that they were continuing their efforts to resolve their dispute. Dkt. No. 116 & 123.

Since then, the Parties have continued to meet and confer. Defendant's counsel has conducted interviews with potential 30(b)(6) designees and has drafted written descriptions of certain systems about which Plaintiffs seek testimony. Over the past weeks, relevant MetLife personnel have been reviewing the descriptions to ensure their accuracy, and Defendant anticipates providing the descriptions to Plaintiffs by early next week. Plaintiffs will evaluate the written descriptions to determine whether at this stage of the proceedings, they need 30(b)(6) testimony on all of the ESI systems at issue.

Accordingly, the Parties jointly request that the Court continue to hold Plaintiffs' motion, Dkt. No. 107, in abeyance, and not set a date for a pre-motion conference until April 13, 2020. The Parties intend to inform the Court by April 10, 2020 as to whether they have resolved their dispute.

Respectfully,

Hon. Barbara Moses

April 3, 2020

Page 2 of 2

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/s/ Melissa C. Rodriguez

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Attorneys for Defendant

Application GRANTED. The parties are directed to file a joint letter updating the Court on the status of this dispute no later than April 10, 2020. The plaintiffs' motion at Dkt. No. 107 will be held in abeyance until that time. SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Barbara Moses', is written over a horizontal line.

Barbara Moses, U.S.M.J.

April 7, 2020